



IN THE JUDICATURE OF HIGH COURT AT BOMBAY
BENCH AT AURANGABAD

913 CRIMINAL APPLICATION NO. 27 OF 2024
IN APPEAL/10/2024

NILKANTH DNYANOBA INDURE
VERSUS
THE STATE OF MAHARASHTRA

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Advocate for Applicant : Mr. Golewar Vishwanath P.
APP for Respondent-State : Mr. N. D. Batule

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CORAM : ABHAY S. WAGHWASE, J.
DATED : 04 JANUARY 2024

PER COURT :-

1. This is an application under Section 389 of the Code of Criminal Procedure.
2. Heard learned Advocate for the applicant and the learned APP for State.
3. Applicant-appellant has been convicted and sentenced to a short term of two (2) years rigorous imprisonment. However, learned trial Judge seems to have suspended the sentence till the appeal period is over. Said period comes to an end today i.e. 04.01.2024. *Prima facie*, on going through the papers and record, considering the

nature of offence, the circumstances in which it was committed and the fact that applicant was on bail during trial coupled with the fact that much more time would be required for decision of the appeal, prayer raised herein is required to be allowed. Therefore, substantive sentence is hereby suspended till the appeal is heard and decided.

4. The application is allowed. The applicant shall be released on the same bail with fresh bonds. Bail before the trial court.

[ABHAY S. WAGHWASE, J.]

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